

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DENNIS TOOLEY,

Plaintiff,

V.

KATHERINE A. GREEN,

and

SANSONE GROUP, LLC,

Defendants.

CIVIL ACTION NO. 4:18-CV-00251-HEA

ANSWER

COMES NOW Defendants Katherine A. Green and Sansone Group, LLC, (hereinafter “Defendants”), by and through the undersigned counsel, and for their Answer to Plaintiff Dennis Tooley’s (“Plaintiff”) Complaint, state as follows:

1. Defendants state that the allegations contained in Paragraph 1 of Plaintiff's Complaint constitute a legal conclusion to which no response is required. To the extent a response is deemed necessary, Defendants are without sufficient information to admit, and therefore deny the allegations contained in Paragraph 1 of Plaintiff's Complaint.

2. Defendants state that the allegations contained in Paragraph 2 of Plaintiff's Complaint constitute a legal conclusion to which no response is required. To the extent a response is deemed necessary, Defendants without sufficient information to admit, and therefore deny the allegations contained in Paragraph 2 of Plaintiff's Complaint.

3. Defendants are without sufficient information to admit, and therefore deny the allegations contained in Paragraph 3 of Plaintiff's Complaint.

4. Defendants are without sufficient information to admit, and therefore deny the allegations contained in Paragraph 4 of Plaintiff's Complaint.

5. Defendants are without sufficient information to admit, and therefore deny the allegations contained in Paragraph 5 of Plaintiff's Complaint.

6. Defendants admit that Katherine A. Green is an individual and an owner of the real property, South Lakeview Plaza, generally located at 4404 Lemay Ferry Rd., St. Louis, Missouri 63129. Defendants deny the remaining allegations contained in Paragraph 6 of Plaintiff's Complaint.

7. Defendants admit that Sansone Group, LLC is a Missouri Limited Liability Company registered to do business in the State of Missouri. Defendants further admit that Sansone Group, LLC is the lessee and operator of the real property and improvements, South Lakeview Plaza, generally located at 4404 Lemay Ferry Rd., St. Louis, Missouri 63129. Defendants deny the remaining allegations contained in Paragraph 7 of Plaintiff's Complaint.

8. Defendants state that the allegations contained in Paragraph 8 constitute a legal conclusion to which no response is required. To the extent a response is deemed necessary, Defendants deny the allegations contained in Paragraph 8 of Plaintiff's Complaint.

COUNT I

9. Defendants re-allege and incorporate herein by reference their responses to Paragraphs 1 through 8 of their Answer to the Complaint.

10. Defendants admit the allegations contained in Paragraph 10 of Plaintiff's Complaint.

11. Defendants are without sufficient information to admit, and therefore deny the allegations contained in Paragraph 11 of Plaintiff's Complaint.

12. Defendants are without sufficient information to admit, and therefore deny the allegations contained in Paragraph 12 of Plaintiff's Complaint.

13. Defendants are without sufficient information to admit, and therefore deny the allegations contained in Paragraph 13 of Plaintiff's Complaint.

14. Defendants are without sufficient information to admit, and therefore deny the allegations contained in Paragraph 14 of Plaintiff's Complaint.

15. Defendants deny the allegations contained in Paragraph 15 of Plaintiff's Complaint including each and every allegation contained in subparagraphs A-E of Paragraph 15 of Plaintiff's Complaint.

16. Defendants deny the allegations contained in Paragraph 16 of Plaintiff's Complaint.

17. Defendants deny the allegations contained in Paragraph 17 of Plaintiff's Complaint.

18. Defendants are without sufficient information to admit, and therefore deny the allegations contained in Paragraph 18 of Plaintiff's Complaint.

19. Defendants deny the allegations contained in Paragraph 19 of Plaintiff's Complaint.

20. Defendants deny the allegations contained in Paragraph 20 of Plaintiff's Complaint.

21. Defendants deny the allegations contained in Paragraph 21 of Plaintiff's Complaint.

WHEREFORE having fully answered the allegations contained in Plaintiff's Complaint, Defendants respectfully request that this Court dismiss Plaintiff's Complaint with prejudice, that Plaintiff take nothing thereby, and that Defendants be awarded reasonable their attorney's fees and costs as well as such other and further relief as this Court deems just and proper under the circumstances.

Respectfully submitted,

McCARTHY, LEONARD, KAEMMERER, L.C.

By: /s/ Timothy J. Ahrenhoersterbaeumer
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Sansone Group, LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 28th day of 2018, the foregoing was filed electronically with the Clerk of Court, therefore to be served electronically by operation of the Court's electronic filing system upon the parties.

/s/ Timothy J. Ahrenhoersterbaeumer